

**REMARKS**

In accordance with the foregoing, claims 1, 3, 9 and 10 have been amended. No new matter is presented and, accordingly, approval and entry of the foregoing amendments are respectfully requested.

**STATUS OF CLAIMS**

Claims 1-3, 5, 9 and 10 are rejected.

Claims 1-10 are pending and under consideration.

**ITEM 5: OBJECTION TO CLAIM 9**

Claim 9 has been amended, adopting the Examiner's suggested changes to overcome the objection.

**ITEM 6: REJECTION OF CLAIM 3 FOR INDEFINITENESS UNDER 35 U.S.C. §112, FIRST PARAGRAPH**

Claim 3 has been amended, taking into account the Examiner's suggested change to overcome the objections and rejections of Items 2 and 3 of the Action and, it is respectfully submitted, the amended such claim is now free of the objections and rejection and, accordingly, withdrawal of same are respectfully requested.

**ACTION AT PAGE 5: REJECTION OF CLAIMS 1, 2, 5, 9 and 10 FOR OBVIOUSNESS UNDER 35 U.S.C. §103(a) OVER STROM ("INTELLIGENT BARGE-IN IN CONVERSATIONAL SYSTEMS" IEEE 2000) IN VIEW OF STIFELMAN (U.S. PATENT 7,143,039) AND FURTHER IN VIEW OF SMITH (U.S. PATENT 6,952,672)**

The rejection is respectfully traversed.

The claimed subject matter of "calculating an environment evaluation value of a position of the user by comparing the position of the user with previously recorded map information that represents noise levels in a plurality of areas and determining the barge-in function to be non-effective in a case where the environment evaluation value exceeds a predetermined threshold value", in claims 1, 9 and 10, is neither disclosed nor suggested by Strom, Stifelman, and Smith, taken singularly or in any proper combination.

Stifelman describes a circumstance of background noise of a call being received in the audio signal in col. 24, lines 32-37; however, it neither describes nor suggests calculating an environment evaluation value of a position of the user, using map information.

Smith discusses detecting "the position of an audio speech source relative to the position of the personal communication device" in generating proximity data corresponding to the detected position, based on which "operational characteristics relating to input audio signals, as well as output audio signals, can be adjusted." (Col. 2, lines 20 to 26 et. seq.) However, Smith neither describes nor suggests calculating an environment evaluation value by comparing the position of an audio speech source with map information.

## CONCLUSION

It is respectfully submitted that the foregoing has demonstrated that the claims as now amended clearly, patentably distinguish over the references and rejections of record. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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